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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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PERNELL PARKER,

Plaintiff, **STIPULATION AND
ORDER OF SETTLEMENT
AND DISCONTINUANCE**

-against-

THE CITY OF NEW YORK, P.O. WILLIAM CAREW and
P.O.s "JOHN DOE" # 1-5 (said names being fictitious, as the
true names are presently unknown), Individually and in their
Official Capacities,

CV 06-00548(FB)(VVP)

Defendants.
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WHEREAS, plaintiff commenced this action by filing a complaint on or about
February 7, 2006, alleging that defendants violated his constitutional rights; and

WHEREAS, defendants City of New York, the New York City Police Department,
and Police Officer William Carew have denied any and all liability arising out of plaintiff's
allegations; and

WHEREAS, the parties now desire to resolve the issues raised in this litigation,
without further proceedings and without admitting any fault or liability;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by
and between the undersigned, as follows:

1. The above-referenced action is hereby dismissed, with prejudice, and
without costs, expenses, or fees in excess of the amount specified in paragraph "2" below.

2. Defendant City of New York hereby agrees to pay plaintiff the sum of
Seventeen Thousand Five Hundred Dollars (\$17,500.00) in full satisfaction of all claims,

including claims for costs, fees and expenses. In consideration for the payment of this sum, plaintiff agrees to dismissal with prejudice of all claims against the individual defendants, and to release all defendants, and any present or former employees or agents of the City of New York, and the New York City Police Department, from any and all liability, claims, or rights of action under state or federal law arising from and contained in the complaint in this action, including claims for costs, expenses or fees in excess of the amount specified in paragraph "2" above.

3. Plaintiff shall execute and deliver to defendants' attorney all documents necessary to effect this settlement, including, without limitation, a release based on the terms of paragraph "2" above, and an Affidavit of No Liens.


4. Nothing contained herein shall be deemed to be an admission by defendants that they have in any manner or way violated plaintiff's rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

5. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York, or the New York City Police Department.

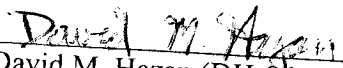
6. This Stipulation and Order, comprising three typewritten pages, contains all the terms and conditions agreed upon by the parties hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto or to vary the terms and conditions contained herein.

Dated: New York, New York
August 2, 2006


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By: 
Christopher Galiardo, Esq. (7205)

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of the City of New York
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Police Officer William Carew
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By: 
David M. Hazan (DH-8611)
Assistant Corporation Counsel
Special Federal Litigation Division

SO ORDERED:


Honorable Fredent Block
United States District Judge, E.D.N.Y. 8/9/06.